

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
UNITED STATES OF AMERICA,

-against-

20-cr-0176 (LAK)

MICHAEL HAWKINS,

Defendant.

----- X

ORDER

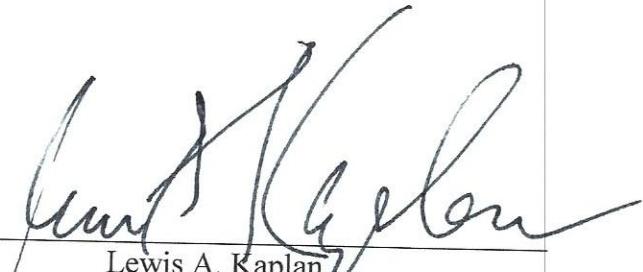
LEWIS A. KAPLAN, *District Judge.*

Defendant Michael Hawkins is in pretrial detention. He has applied through counsel for release on bail pending trial.

In order to determine the manner in which to proceed on this application, it would be helpful to know whether the defendant is prepared to waive any right he may have to be present for proceedings on that application. His counsel shall advise the Court by letter as promptly as possible as to how he wishes to proceed. A form of waiver of any right of physical presence and consent to video or telephonic proceedings is attached. If defendant agrees to it, it should be signed promptly.

SO ORDERED.

Dated: August 15, 2020



Lewis A. Kaplan
United States District Judge

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**WAIVER OF RIGHT TO PHYSICAL
PRESENCE AT EVENT IN CRIMINAL CASE**

(To Be Completed By Defendant)

I am aware that I have been charged with violations of federal law. I have consulted with my attorney about those charges.

I understand that there is to be a bail application, argument, and/or hearing in my case and that I may have a right to be physically present in a courtroom in the Southern District of New York for that proceeding and to have my attorney beside me there. I am aware also that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse.

I have discussed these issues with my attorney. By signing this document, I wish to advise the court that I willingly give up any right I may have to be physically present before the judge in that proceeding and I consent also to that proceeding taking place by video or, if video is not reasonably available, telephone conference.. By signing this document, I willingly give up also any right I might have to have my attorney next to me during that proceeding so long as the following conditions are met. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf during the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Dated: _____

Signature of Defendant

(To Be Completed By Defense Attorney)

I hereby affirm that I am aware of my obligation to discuss with my client the charges against my client, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver and consent form. I affirm that my client knowingly and voluntarily consents to the proceedings being held with my client and me both participating remotely.

Dated: _____

Name of Attorney (Print)

Signature of Attorney

(To Be Completed By Defense Attorney If Defendant Uses Interpreter)

I used the services of an interpreter to discuss these issues with the defendant. The interpreter also translated this document, in its entirety, to the defendant before the defendant signed it. The interpreter's name is: _____.

Dated: _____

Name of Attorney (Print)

Signature of Attorney

ACCEPTED:

Lewis A. Kaplan
United States District Judge